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26 Attorneys for Defendant  
27 ELECTRONIC DATA SYSTEMS L.L.C.,  
28 formerly known as ELECTRONIC DATA  
SYSTEMS CORPORATION

18 UNITED STATES DISTRICT COURT  
19  
20 NORTHERN DISTRICT OF CALIFORNIA

21 DONNIE COX,  
22 Plaintiff,  
23 v.

24 ELECTRONIC DATA SYSTEMS  
25 CORPORATION; and DOES 1 through  
10, inclusive,

26 Defendants.

27 Case No. CV 08 3927 WHA

28 **STIPULATION AND [PROPOSED]  
ORDER EXTENDING TIME FOR  
EXPERT DISCLOSURE**

29  
30 STIP. AND [PROPOSED] ORDER  
31 EXTENDING TIME FOR EXPERT  
32 DISCLOSURE

33 CASE NO. CV 08 3927 WHA

1           WHEREAS, Plaintiff Donnie Cox has sued his former employer for wrongful  
2 discharge in violation of public policy (jury duty) and related causes of action;

3           WHEREAS, the parties participated in a mediation on May 8, 2009 which did not  
4 resolve the case, but have been continuing to actively pursue settlement discussions since that date;  
5 and

6           WHEREAS, the parties postponed several depositions when it appeared that  
7 settlement was likely, but the parties have not been able to reach a settlement; and

8           WHEREAS, Plaintiff plans to take four additional depositions: EDS' Jane Barrett of  
9 Plano, Texas (to be taken August 21), Neil Bouey of California State Automobile Association (to be  
10 taken August 14, 2009), EDS' Kathy Costello and Jeff Smith (dates to be arranged), and

11          WHEREAS, Plaintiff's counsel believes that these depositions will be helpful in  
12 resolving the case; and

13          WHEREAS, the parties wish to avoid incurring additional costs by retaining experts,  
14 which could make settlement less likely; and

15          WHEREAS, the parties wish to devote their resources to completing these  
16 depositions and pursuing settlement; and

17          WHEREAS, the Court ordered the parties to serve a list of issues upon which it  
18 intends to offer expert evidence in its case in chief on July 31, 2009, with expert disclosures to take  
19 place on August 28, 2009; and

20          WHEREAS, the case is scheduled for trial on January 11, 2010; and

21          WHEREAS, neither party anticipates that any expert testimony will be needed in any  
22 summary judgment motion.

23          THEREFORE, the parties respectfully request that the Court extend the date for  
24 disclosing expert issues by one month, from July 31, 2009 to August 31, 2009, and the date for  
25 expert disclosure from August 28, 2009 to September 28, 2009 (with the corresponding dates for any  
26 opposition (rebuttal) and reply expert reports, and completion of expert discovery extended as well).

27          ///

28          ///

**STIP. AND [PROPOSED] ORDER  
EXTENDING TIME FOR EXPERT  
DISCLOSURE**

1 SO STIPULATED.

2 Dated: July \_\_\_, 2009

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5

/s/  
DEAN ROYER  
SIEGEL & YEE  
Attorneys for Plaintiff  
DONNIE COX

6 Dated: July \_\_\_, 2009

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11

/s/  
ROBERT L. ZALETEL  
LITTLER MENDELSON  
A Professional Corporation  
Attorneys for Defendant  
ELECTRONIC DATA SYSTEMS L.L.C.,  
formerly known as ELECTRONIC DATA  
SYSTEMS CORPORATION

12 [PROPOSED] ORDER

13 FOR GOOD CAUSE APPEARING:

14 Pursuant to the stipulation of the parties, the date for disclosure of issues upon which  
15 an expert will testify is continued to August 31, 2009, and the date for expert designation and  
16 disclosure is continued to September 28, 2009. The date for any expert opposition (rebuttal) reports  
17 is continued to October 12, 2009; and the date for expert reply reports is continued to October 19,  
18 2009. The expert discovery cutoff date will be November 2, 2009. All other pretrial and trial dates  
19 will remain unchanged.

20 IT IS SO ORDERED.

21 Dated: July 24 \_\_\_\_\_, 2009

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